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LETTER DATED 24 MAY 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my report of 11 May 1994 on the United Nations Observer Mission in El Salvador (ONUSAL) (S/1994/561 and Add.1), I have the honour to inform you that on 19 May the two parties in the El Salvador peace process reached agreement on a new "Timetable for the implementation of the most important outstanding agreements". The text of that timetable is attached.

In connection with the above, I should also like to inform you that in the course of his visit today the President-elect of El Salvador, Mr. Armando Calderón Sol, reiterated to me his personal commitment to the terms of the Peace Accords and his desire to see these accords implemented without delay for the benefit of all Salvadorians.

I should be grateful if this information could be brought to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

Annex

[Original: Spanish]

TIMETABLE FOR THE IMPLEMENTATION OF THE MOST IMPORTANT AGREEMENTS PENDING

19 May 1994

Armed Forces

1. The 289 weapons registered as belonging to the Armed Forces of El Salvador in the possession of penitentiaries and 11 of the 45 that are in State institutions shall be collected and replaced, in compliance with the Law for the Control of Weapons, Munitions, Explosives and Related Artifacts, by 20 May 1994 at the latest. The Government shall submit a report to ONUSAL concerning the 34 weapons still in the possession of State officials.

2. In view of the entry into force on 11 January 1994 of the Law for the Control of Weapons, Munitions, Explosives and Related Artifacts, and since the two-month period for the voluntary surrender of weapons intended for exclusive use by the Armed Forces of El Salvador in civilian hands has expired, the Government, with United Nations support, shall draw up, by 30 May 1994 at the latest, practical measures for the collection of such weapons. These measures may include extension of the period for voluntary surrender of weapons, accompanied by a broad publicity campaign, and the possible purchase of weapons with international financial support.

Public security 1/

3. With a view to ensuring full compliance with the Peace Accords, the parties agree to reschedule the following items pending in the area of public security:

A. Deployment of the National Civil Police

The National Civil Police shall complete its replacement of the National Police, wherever the latter are deployed, with a view to filling the vacancies by 31 January and, at the latest, by 31 March 1995. Following partial deployment in Ahuachapán and Sonsonate by the end of the present month, the replacement of the National Police by the National Civil Police shall be carried out in the following order: La Paz, Cuscatlán, Santa Ana, Ahuachapán and Sonsonate, La Libertad, rural San Salvador and metropolitan San Salvador.

1/ The parties undertake to comply with this complementary agreement without prejudice to their commitments under the remaining provisions of the Peace Accords relating to public security.

The functional deployment of the Border, Environmental and Arms and Explosives Divisions shall begin on 2 June, 1 July and 1 August 1994, respectively. The deployment of all the functional divisions of the National Civil Police shall be concluded by 31 January and, at the latest, by 31 March 1995.

B. Demobilization of the National Police

The demobilization of the National Police shall be concluded by 31 January and, at the latest, by 31 March 1995. The Customs Police shall be disbanded once the Finance Division of the National Civil Police becomes operational, but in no case after that date.

C. Restructuring of the Ministry of the Interior and Public Security

The Government of El Salvador shall establish at the earliest possible time the office of the new Deputy Minister for Public Security. The Deputy Minister shall enjoy autonomy of administration and shall have political responsibility for directing the National Civil Police and the National Public Security Academy. He shall ensure, in particular, appropriate operational and doctrinal coordination between the two institutions.

D. Regulatory machinery

The Government undertakes to appoint the Inspector-General during the month of June 1994. The person appointed shall have legal training and experience, and special knowledge of human rights. The Government shall provide the General Inspectorate with the human and material resources for the proper performance of its duties, and shall ensure that its organic and functional structure are developed in accordance with the rules and that it becomes operational before 30 September 1994.

The Government shall provide the Control and Disciplinary Investigation Units with the human and material resources to enable them to be developed and put into service before 31 July 1994.

Two subcommissioners and the necessary administrative staff shall be appointed to the Control Unit.

The Disciplinary Investigation Unit shall consist of two sections. In the case of the first, dealing with investigation, there shall be appointed one subcommissioner, two sub-inspectors and six sergeants. In the case of the second, dealing with procedure, there shall be appointed one subcommissioner, two sub-inspectors and three secretaries with the rank of sergeant.

The Government shall request the necessary international technical assistance, in coordination with the United Nations, in order to ensure the full

institutional consolidation of the General Inspectorate and the Control and Disciplinary Investigation Units.

E. Irregularities in the National Civil Police and the functioning of the National Public Security Academy

With the collaboration of the Government, the United Nations shall verify, in the National Civil Police, inter alia, the granting of ranks to ex-members of the Special Antinarcotics Unit and the Criminal Investigation Commission and the functioning of the Antinarcotics and Criminal Investigations Divisions, and the assignment of duties to the National Civil Police and the necessary balance between personnel of different origins. In addition, with the collaboration of the Government, the United Nations shall verify, inter alia, the functioning of the Academic Council, the teaching staff, the team of monitors and the recruitment and selection machinery of the National Public Security Academy. It shall also verify the study plans and the disciplinary regime.

In accordance with the results of that verification, the United Nations may, where necessary, make recommendations to the Deputy Minister for Public Security, by 30 June 1994 at the latest, with a view to ensuring that the appropriate corrective action is taken.

F. Measures for promoting additional recruitment to the National Civil Police

F.1. With a view to promoting the admission of qualified civilian personnel to the National Public Security Academy and the National Civil Police, the Government commits itself to the following actions:

(a) To raise the level of grants in the National Public Security Academy, especially those awarded to students at the executive and higher levels;

(b) To establish a specific budgeting system for the National Civil Police;

(c) To establish, without any discrimination on political grounds, cooperation agreements between the National Public Security Academy and non-governmental organizations in such a way as to ensure the active participation of those organizations in the campaign to promote civilian recruitment to the National Public Security Academy of persons so entitled, consisting of verified non-combatants of the Frente Farabundo Martí para la Liberación Nacional (FMLN), providing that all the necessary regulatory requirements are fulfilled.

F.2. If, despite the measures described above, the National Public Security Academy is unable to restrict its recruitment entirely to persons who did not participate directly in the armed conflict, the Government may favour the recruitment of members of the National Police to the National Civil Police, subject to the following requirements:

(a) The admission of such persons to the National Public Security Academy may be commenced only after compliance with any recommendations that may be made by ONUSAL as referred to in section E.

(b) This recruitment shall be limited to a maximum of 1,000 agents at the basic level, including technical and administrative personnel.

(c) It shall be carried out in a regular and gradual manner, with full compliance with admission requirements, including approval of the entrance examinations and attendance at and completion of the regular six-months' course at the National Public Security Academy, without prejudice to the independent candidates admitted to the relevant course at the National Public Security Academy.

(d) Before submission of an application for entry to the National Public Security Academy, the conduct of the candidates shall be assessed by a committee composed of the Directors of the National Civil Police, the National Public Security Academy and the National Police, a subcommissioner of the National Civil Police who did not participate directly in the armed conflict, and a representative of ONUSAL. The committee shall interview each candidate and review the original documents submitted by each of them.

(e) The Government shall provide the United Nations with complete lists of the current personnel of the National Police and of the demobilized personnel of the Treasury Police, the National Guard and the Immediate-Reaction Infantry Battalions.

G. Verification

The United Nations shall verify compliance with this agreement, for which purpose it shall have unrestricted access to all documentation and information that it might request from the competent authorities.

Land-transfer programme

4. The Government shall institute the measures provided for in the second phase of the Acceleration Plan which it has submitted, including the amendments agreed to in the Joint Working Group. In the light of the financial commitments undertaken by the international community, the Government has decided to proceed concurrently with the transfer of land to beneficiaries verified by the Office for Agrarian Coordination, and to the list of landholders submitted by FMLN on 13 April 1994. In order to accelerate the execution of the Plan, which shall be concluded by 30 April 1995, the parties agree to take the necessary steps to achieve approval of the legislative decree embodied in it, within the shortest possible time.

5. The Government shall put forward a special scheme for the transfer of land in the rural human settlements of Morazán and Chalatenango in the Joint Working Group on land, within 15 days after FMLN has provided the relevant information.

Reintegration programmes

6. The Government shall implement the reintegration programmes by the dates laid down by the General Coordination Bureau and shall ensure its efficient functioning (see note D.d. in annex II).

7. Within the normal guidelines and programmes, the Government shall implement programmes of basic and middle-level education for the 800 young persons who were under 16 years of age on 1 February 1992, with the support of food programmes, and shall appeal to international organizations for additional sets of tools. If the beneficiaries do not want a formal education, appeals shall be made to the European Union and the Gesellschaft für Technische Zusammenarbeit, for support to vocational programmes. These programmes must be drawn up by 30 June 1994 at the latest.

8. The Government, as part of its overall budget for 1995, shall propose to the Legislative Assembly the opening of a budgetary item entitled "Fund for the Protection of Wounded and War-disabled as a Consequence of the Armed Conflict".

Recommendations of the Commission on the Truth

9. The Government shall promote the necessary action, by 30 May 1994, at the latest, to enable the Legislative Assembly to approve, at the earliest possible date, the legislative measures set forth in annex I, which shall reflect the relevant recommendations of the Commission on the Truth.

10. The Government shall take the necessary measures to ensure that the Legislative Assembly approves the instruments of ratification of the international human rights instruments, on the basis of the recommendations of the Commission on the Truth. (See annex I.)

Follow-up

11. The parties and the United Nations shall hold tripartite meetings every two weeks in order to follow up the actions described in this timetable and its annexes.

ANNEX I

a. Draft laws submitted to the Legislative Assembly for its approval:

1. Reform of the Code of Criminal Procedure in order to lay down the basic principles to be followed in procedures for arrest;

2. Elimination of extrajudicial confession (embodied in the constitutional reform recently approved, which required ratification);

3. Reform of the Code of Criminal Procedure in order to reduce administrative detention to 24 hours;

4. A draft law on penitentiaries.

b. Draft laws to be submitted to the Legislative Assembly:

1. A new Penal Code;

2. A new Code of Criminal Procedure;

3. Reform of the rules for provisional detention and release on bail during the proceedings;

4. A draft law on habeas corpus.

c. Laws now being drafted in the context of the judicial reform being instituted by the Ministry of Justice:

1. Repeal of the 1886 Law on the Police and, as a consequence, replacement of police jurisdiction over minor offences, which shall be assigned to justices of the peace;

2. Regulations on house searches;

3. Rules of conduct for police detention, in accordance with the Code of Conduct adopted by the United Nations;

4. Measures to secure compliance with procedural deadlines (the Government states that they are envisaged as part of the draft new Code of Criminal Procedure).

d. Draft laws the formulation of which is currently in the preliminary stage:

1. A new law on the judicial profession, including provisions on the decentralization of powers of the Supreme Court of Justice;

2. Measures to render effective the recourse to amparo;

3. The establishment of a special procedure for rendering effective material compensation for victims of human rights violations (the

Government states that this is envisaged as part of the draft new Code of Criminal Procedure);

4. The creation of a fund for the compensation of victims of human rights violations (the Government has informed the Secretary-General with a view to obtaining the assistance of the international community).

e. Ratification of international instruments:

1. Signed by the Government and not yet submitted to the Legislative Assembly:

- Optional Protocol to the International Covenant on Civil and Political Rights;

2. Submitted by the Government and approved with reservation by the Legislative Assembly:

- United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

3. Submitted by the Government and awaiting approval by the Legislative Assembly:

- Optional Protocol to the American Convention on Human Rights (San Salvador Protocol);

- Convention on the Political Rights of Women;

4. Not submitted by the Government to the Legislative Assembly as being considered contrary to the Constitution, or for other reasons:

- Conventions Nos. 87 and 98 of the International Labour Organization;

- Convention on the Non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity;

- Inter-American Convention to Prevent and Punish Torture;

- Acceptance of the compulsory jurisdiction of the Inter-American Court of Human Rights established under the American Convention on Human Rights.

FMLN considers that all the above instruments, which are included in the recommendations of the Commission on the Truth, should be ratified.

ANNEX II

Action arising from the Peace Accords which should be concluded

Land-transfer programme

a. The Government shall take the appropriate steps to ensure that Decree No. 385 remains in force until the land-transfer programme has been finalized. Decree No. 403 shall also remain in force.

b. The land credit certificates may, if necessary, be extended beyond 30 April 1995, as agreed in the Joint Working Group.

c. The Government shall complete the formalities for the transfer of the 17 properties pending among those provided for in the Agreement of 3 July 1991 by 30 June 1994 at the latest. To that end, the Government, through the Salvadorian Institute for Agrarian Reform, shall continue the relevant negotiations, in which the landowners, the beneficiaries and ONUSAL shall participate, by 30 May 1994 at the latest.

d. The Government shall facilitate verification by the United Nations of compliance with the constitutional principle governing the allocation of surplus land from properties that exceed 245 hectares.

Integration programmes

Ex-combatants of FMLN and landholders

a. The Government shall guarantee access by the beneficiaries of the land-transfer programme to agricultural and livestock credit.

Ex-combatants of the Armed Forces

b. Demobilized members of the Armed Forces shall continue to be compensated, as laid down in the Peace Accords and in compliance with Decree No. 784 approved by the Legislative Assembly and the agreement of 23 March 1994, by 15 June 1996 at the latest.

Disabled

c. Until the approval of the special budget for the operational stage of the Fund for the Protection of Wounded and War-disabled as a Consequence of the Armed Conflict, the Government shall ensure the provision of funds to meet their most urgent needs.

Table of reintegration programmes

d.

13 May 1994

Timetable for reintegration of FMLN

Programme	Starting date	Ending date	Length	Activity
Credit for microbusinesses	21 Feb. 94	31 Oct. 94	8 months	Drawing up of profiles
Technical assistance	15 May 94	15 Dec. 95	19 months	Provision of credit Technical assistance for profiles and projects
Agricultural and livestock credit	28 Feb. 94	31 May 94		Disbursement of credit for crops and livestock production in winter
	28 Feb. 94	31 Aug. 94		Approval of remainder of requests for credit
Technical assistance I	1 Apr. 94	31 May 94	2 months	Consultancy services for credit
Technical assistance II	1 May 94			Start of technical assistance*
Programme for middle-level leadership (plan 600)	15 Feb. 94	31 Aug. 94	5.5 months	Drawing up of profiles of credit projects
	1 Mar. 94	30 Sep. 94	7 months	Analysis of request and granting of credit
	15 May 94	31 Jan. 95	7 months	Provision of consultancy services for setting up microenterprises
		15 Jun. 94		Provision of funds to provide credit for housing
	15 Jun. 94			Start on operational provision of credit for housing
Scholarships	13 Aug. 93	Aug. 98		Granting of scholarships
Emergency housing (UNDP)	Nov. 93	30 Jun. 94	7 months	Completion of construction process, first phase
(UNDP)	Jul. 94	May 95		Second phase of programme
(SAN/HABITAT)	15 Dec. 93	30 Jun. 94	6.5 months	Delivery of sets of building materials
Permanent housing	Jun. 93	Jun. 95	24 months	Construction of permanent housing
Medical care	Nov. 92	30 Jun. 94		Administrative closure AMED**

Note: It should be understood that any change in the starting date will cause a corresponding change in the date for the conclusion of the programme.

* Executed by the National Centre for Agricultural and Forestry Technology (CENTA) and non-governmental organizations.

** Programme of medical care for the disabled.

Urban human settlements

As agreed at the tripartite meeting of 8 September 1993, and as soon as COPAZ has carried out a census of 621 units, the Government shall conduct the corresponding study in order to solve the problem, which shall be submitted to ONUSAL by 30 June 1994 at the latest. The parties and the United Nations shall make efforts to encourage the international community to participate in the financing of the solution chosen.

Forum for Economic and Social Consultation

The parties shall exercise their best offices to have the Forum reconstituted by 30 June 1994 at the latest, since it has not completed the tasks assigned to it, yet they continue to be necessary for the stability and economic development of the country.